

Appl. No.: 10/629,397
Amdt. Dated: May 31, 2005
Reply to Office Action of: March 29, 2005

REMARKS/ARGUMENTS

Claims 1 - 24 remain in this application. Claims 3, 5 and 7 have been amended. Claims 17 - 24 have been withdrawn as a result of an earlier restriction requirement. In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 17 - 24 in a divisional application.

1. Drawings

The Examiner has not indicated in the accompanying form PTO-948 that the formal drawings previously submitted have been approved. Without specific rejection by the Examiner, Applicants will believe them to have been approved.

2. Allowed Claims/Subject Matter

Applicant notes with appreciation the Examiner's allowance of claims 1, 2, 6 and 8, and further that the Examiner has indicated the subject matter of claims 3, 5, and 7 are patentable and would be allowable if rewritten in independent form.

3. § 112 Rejections

The Examiner has rejected claims 3, 5 and 7 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out or distinctly claim the invention as set forth on Page 2, Section 1 of the office Action. Applicants believe that these rejection may be withdrawn in view of the following amendments.

Claim 3 has been amended by making the claim dependent on claim 1, and by further stating that the crystal is arranged in a horizontal (facedown) direction.

Claim 5 has been amended by making the claim dependent on claim 1, and by further stating that the crystal is arranged in a vertical (edgewise) direction.

Applicants believe that the amended claims 3 and 5 overcome the §112, second paragraph, rejection and are now in allowable form. Applicants further believe that claims 3 and 5, as amended are distinguishable from claim 2 due to the further limitations present in each these claims.

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Claim 7 has been amended in the manner suggested by the Examiner; namely, in the first line the word "the" have been deleted and the word --an--inserted.

Lastly, Claim 4 was objected to as being dependent on a rejected base claim. Claim 4 depends on claim 3. In view of the amendment to claim 3, applicant respectfully submits that it is proper for the Examiner to withdraw the objection and to allow claim 4.

THEREFORE, in view of the foregoing amendments, Applicants respectfully submit that amended claims 3, 5 and 7 are in the proper form and that it is proper for the Examiner to withdraw the rejection t these claims.

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Walter M. Douglas at 607-974-2431.

31 May 2005
Date

<p>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8</p> <p>I hereby certify that this paper and any papers referred to herein are being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306 on:</p> <p><u>31 May 2005</u> Date</p> <p><u>Walter M. Douglas</u> <u>5/31/2005</u> Walter M. Douglas Date</p>

Respectfully submitted,
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